**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | | |
|---|---|---|---|
| Applicant | : Aladar Szalay et al. | Art Unit | : 1632 |
| Serial No. | : 10/849,664 | Examiner | : Robert M. Kelly |
| Filed | : May 19, 2004 | Cust. No. | : 20985 |
| | | Conf. No. | : 7765 |

Title : LIGHT EMITTING MICROORGANISMS AND CELLS FOR DIAGNOSIS AND THERAPY OF DISEASES ASSOCIATED WITH WOUNDED OR INFLAMED TISSUE

**Mail Stop: Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

## TRANSMITTAL

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (6 pages), copy of Foreign Office Action, cited non U.S. patent references, and a return postcard for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first Office Action on the merits for the above-captioned application, a fee for filing this statement should not be due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No, 06-1050, as stated below:

☒ The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

**Dated: April 5, 2006**
Attorney's Docket No.: 17248-004002 / 4804B
**Address all correspondence to**:
Stephanie Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-4777
Facsimile: (202) 626-7796
email: seidman@fr.com

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | | |
|---|---|---|---|
| Applicant | : Aladar Szalay et al. | Art Unit | : 1632 |
| Serial No. | : 10/849,664 | Examiner | : Robert M. Kelly |
| Filed | : May 19, 2004 | Cust. No. | : 20985 |
| | | Conf. No. | : 7765 |

Title : LIGHT EMITTING MICROORGANISMS AND CELLS FOR DIAGNOSIS AND THERAPY OF DISEASES ASSOCIATED WITH WOUNDED OR INFLAMED TISSUE

**Mail Stop: Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (6 pages) and copies of the cited non U.S. Patent documents are provided herewith in connection with the above-captioned application.

The documents cited on the Forms PTO-1449 are in the English language, with the exception of items noted below. Item BA (JP2002097144) is in the Japanese language and is provided with an English equivalent (Item AA, US 2002/054865); Item BB (JP55035004) is in the Japanese language and is provided with a Derwent Abstract (Item CC); Item CY (Muravlev *et al.*) is in the Russian language and includes an English language summary on the last page of the article; Item CZ (Netesova *et al.*) is in the Russian language and includes an English language summary on the last page of the article; Item DC (Pak *et al.*) is in the Russian language and includes an English language summary on the last page of the article; Item DI (Prikhod'ko *et al.*, pp. 955-963) is in the Russian language and includes an English language summary on the last page of the article; Item DJ (Prikhod'ko *et al.*, pp. 13-26) is in the Russian language and includes and English language summary on the last page of the article; and Item DW (Vogt *et al.*) is in the German language and includes an English

language summary on the last page of the article. Further, Item BY is the certified English translation of the abstract of Aksac *et al.*, which was previously submitted as Item Q in the Supplemental Information Disclosure Statement mailed on August 03, 2005; and Item BZ is the certified English translation of Al'tshtein *et al.*, which was previously submitted as Item R in the Supplemental Information Disclosure Statement mailed on August 03, 2005. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

The Applicant makes known to the Examiner Foreign Office Actions received for the corresponding Foreign applications. Provided herewith is a copy of a Foreign Office Action, issued March 10, 2006, in connection with corresponding European Patent Application No. 03735553.4.

Applicant also makes known to the Patent and Trademark Office the grant of a Retroactive Foreign Filing License on March, 28, 2006 for the subject matter in U.S. patent application No. 10/163,763 (attorney docket No: 17248-004001/4804, now abandoned) which is the parent application of the instant continuation application No. 10/849,664 (attorney docket No. 17248-004002/ 4804B).

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(g and h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

**Dated: April 5, 2006**
Attorney's Docket No: 17248-004002 / 4804B
**Address all correspondence to**:
Stephanie Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-4777
Facsimile: (202) 626-7796
email: seidman@fr.com

| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17248-004002/4804B | Application No. 10/849,664 |
|---|---|---|---|
| **List of Patents and Publications for Applicant's Information Disclosure Statement** | | Applicant Aladar A. Szalay et al. | |
| (37 CFR §1.98(b)) | | Filing Date May 19, 2004 | Group Art Unit 1632 |

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|---|---|---|---|---|---|---|---|
| | AA | 2002/0054865 | 05/09/02 | Fujimori et al. | 424 | 93.21 | 03/26/01 |
| | AB | 2003/0031628 | 02/13/03 | Zhao et al. | 424 | 9.6 | 07/09/02 |
| | AC | 2003/0044384 | 03/06/03 | Roberts et al. | 424 | 93.2 | 01/15/02 |
| | AD | 2003/0161788 | 08/28/03 | Zhao et al. | 424 | 9.6 | 12/31/02 |
| | AE | 2003/0165477 | 09/04/03 | Balloul et al. | 424 | 93.21 | 04/12/01 |
| | AF | 2004/0076622 | 04/22/04 | Studeny et al. | 424 | 93.21 | 02/28/03 |
| | AG | 2005/0249670 | 11/10/95 | Szalay et al. | 424 | 9.32 | 06/27/05 |
| | AH | 2006/0051370 | 03/09/06 | Szalay et al. | 424 | 199.1 | 09/27/05 |
| | AI | 5,650,135 | 07/22/97 | Contag et al. | 424 | 9.1 | 07/01/94 |
| | AJ | 6,007,806 | 12/28/99 | Lathe et al. | 424 | 93.2 | 12/12/97 |
| | AK | 6,099,848 | 08/08/00 | Frankel et al. | 424 | 246.1 | 11/18/97 |
| | AL | 6,232,523 | 05/15/01 | Tan et al. | 800 | 10 | 04/28/97 |
| | AM | 6,235,967 | 05/22/01 | Tan et al. | 800 | 10 | 03/27/98 |
| | AN | 6,235,968 | 05/22/01 | Tan et al. | 800 | 10 | 04/28/98 |
| | AO | 6,251,384 | 06/26/01 | Tan et al. | 424 | 93.21 | 01/07/99 |
| | AP | 6,416,754 | 07/09/02 | Brown et al. | 424 | 93.21 | 07/23/96 |
| | AQ | 6,589,531 | 07/08/03 | Andino-Pavlovsky et al. | 424 | 199.1 | 09/01/00 |
| | AR | 6,627,190 | 09/30/03 | Wold et al. | 424 | 93.2 | 09/19/01 |
| | AS | 6,649,143 | 11/18/03 | Contag et al. | 424 | 9.1 | 01/19/99 |
| | AT | 6,649,159 | 11/18/03 | Yang et al. | 424 | 93.21 | 03/19/01 |
| | AU | 6,652,849 | 11/25/00 | Brown et al. | 424 | 93.2 | 05/17/02 |
| | AV | 6,759,038 | 06/06/04 | Tan et al. | 424 | 93.21 | 05/29/01 |
| | AW | 6,984,374 | 01/10/06 | Szalay e tal. | 123 | 435 | 01/30/03 |

**Foreign Patent Documents or Published Foreign Patent Applications**

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation Yes | Translation No |
|---|---|---|---|---|---|---|---|---|
| | AX | 0 861 093 | 09/28/98 | EP | | | | |
| | AY | 1 146 125 | 10/17/01 | EP | | | | |
| | AZ | 1 254 250 | 03/23/05 | EP | | | | |

| Examiner Signature | Date Considered |
|---|---|
| | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| Substitute Form PTO-1449 (Modified) U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17248-004002/4804B | Application No. 10/849,664 |
|---|---|---|
| **List of Patents and Publications for Applicant's Information Disclosure Statement** (37 CFR §1.98(b)) | Applicant Aladar A. Szalay et al. | |
| | Filing Date May 19, 2004 | Group Art Unit 1632 |

**Foreign Patent Documents or Published Foreign Patent Applications**

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation Yes | Translation No |
|---|---|---|---|---|---|---|---|---|
| | BA | 2002097144 | 04/02/02 | JP | | | | X+ |
| | BB | 55035004 | 03/11/80 | JP | | | | X* |
| | BC | 01/12234 | 02/22/01 | PCT | | | | |
| | BD | 01/20989 | 03/29/01 | PCT | | | | |
| | BE | 01/55444 | 08/02/01 | PCT | | | | |
| | BF | 03/006069 | 01/23/03 | PCT | | | | |
| | BG | 03/057007 | 07/17/03 | PCT | | | | |
| | BH | 03/092600 | 11/13/03 | PCT | | | | |
| | BI | 03/102169 | 12/11/03 | PCT | | | | |
| | BJ | 2004/044175 | 05/27/04 | PCT | | | | |
| | BK | 2005/047458 | 05/26/05 | PCT | | | | |
| | BL | 2005/057488 | 06/23/05 | PCT | | | | |
| | BM | 2005/072622 | 08/11/05 | PCT | | | | |
| | BN | 97/18841 | 05/29/97 | PCT | | | | |

X+ = An English language equivalent is provided
X* = An English language Derwent abstract is provided

**Other Documents (include Author, Title, Date, and Place of Publication)**

| Examiner Initial | Desig. ID | Document |
|---|---|---|
| | BO | "WHO Collaborating Centre for Orthopoxvirus Diagnosis and Repository for Variola Virus Strains and DNA," VECTOR: Ministry of Public Health and Social Development of Russian Federation, State Research Center of Virology and Biotechnology http://www.vector.nsc.ru/DesktopDefault.aspx?lcid=9&tabid=294&tabindex=1 (accessed on 09/12/05) |
| | BP | "A New Way to Kill Cancer: SLU Research Shows Viruses can destroy lung, colon tumors," Science Daily: Your link to the latest research news http://www.sciencedaily.com/releases/2004/05/040517071951.htm (accessed on 05/17/04) |
| | BQ | Advani et al., "Replication-competent, Nonneuroinvasive Genetically Engineered Herpes Virus Is Highly Effective in the Treatment of Therapy-resistant Experimental Human Tumors," Cancer Research 59: 2055-2058 (1999) |
| | BR | Altenbrunn et al., "Scintographic Tumor Localization in Mice with Radioiodinated Anti-*Clostridium* Antibodies," Int. J. Nucl. Med. Biol. 8(1): 90-93 (1981) |
| | BS | Bennett et al., "Positron emission tomography imaging for herpes virus infection: Implications for oncolytic viral treatments of cancer," Nature Med 7(7): 859-863 (2001) |

| Examiner Signature | Date Considered |
|---|---|
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

| Substitute Form PTO-1449 (Modified) U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17248-004002/4804B | Application No. 10/849,664 |
|---|---|---|
| **List of Patents and Publications for Applicant's Information Disclosure Statement** | Applicant Aladar A. Szalay et al. | |
| (37 CFR §1.98(b)) | Filing Date May 19, 2004 | Group Art Unit 1632 |

**Other Documents (include Author, Title, Date, and Place of Publication)**

| Examiner Initial | Desig. ID | Document |
|---|---|---|
| | BT | Berger, F. and S.S. Gambhir, "Recent advances in imaging endogenous or transferred gene expression utilizing radionuclide technologies in living subjects," Breast Cancer Research 3: 28-35 (2001) |
| | BU | Blasberg, R.G. and J.G. Tjuvajev, "Herpes simplex virus thymidine kinase as a marker/reporter gene for PET imaging of gene therapy," Q J Nucl Med 43(2): 163-169 (1999) |
| | BV | Boland et al., "Adenovirus-mediated Transfer of the Thyroid Sodium/Iodide Symporter Gene into Tumors for a Targeted Radiotherapy," Cancer Research 60: 3484-3492 (2000) |
| | BW | Bonnekoh et al., "Adenoviral-Mediated Herpes Simplex Virus-Thymidine Kinase Gene Transfer *in Vivo* for Treatment of Experimental Human Melanoma," J .Invest. Dermatol. 106(6): 1163-1168 (1996) |
| | BX | Brockstedt et al., "Development of Anti-tumor Immunity against a Non-immunogenic Mammary Carcinoma through *in Vivo* Somatic GM-CSF, IL-2, and HSVtk Combination Gene Therapy," Mol. Ther. 6(5): 627-636 (2002) |
| | BY | Certified English translation of abstract for Aksac S., "[Antibody formation against Agrobacterium tumefaciens in patients with various cancers]," Turk Hij Tecr Biyol Derg. 34(1-2):48-51 (1974) [Article in Italian]. |
| | BZ | Certified English translation of journal article for Al'tshtein [Altshteyn] et al., "[Isolation of a recombinant vaccinia virus based on the LIVP strain inducing the surface antigen of the hepatitis B virus]," Dokl Akad Nauk SSSR. 285(3):696-9 (1985) [Article in Russian]. |
| | CA | Chen B et al., "Evaluation of Cytokine Toxicity Induced by Vaccinia Virus-mediated IL-2 and IL-2 Antitumor Immunotherapy," Cytokine (2001) 15(61):305-314. |
| | CB | Chaudhuri et al., "Light-based imaging of green fluorescent protein-positive ovarian cancer xenografts during therapy," Gynecol. Oncol. 82(3): 581-589 (2001) |
| | CC | Derwent English abstract for Japanese Patent Publication JP 55035004, published February 3, 1987, entitled, "Cellular immuno-potentiator – contg. Vaccinia attenuated virus showing no infectivity to man or rabbit and has lost humoral immunity," Derwent Accession Number: 2512008 |
| | CD | Fabricius et al., "Quantitative investigations into the elimination of *in vitro*-obtained spores of the non-pathogenic *Clostridium butyricum* strain CNRZ 528, and their persistence in organs of different species following intravenous spore administration," Res. Microbiol. 144: 741-753 (1993) |
| | CE | Francis et al., "Monitoring bioluminescent *staphyloccus aureus* infections in living mice using a novel *lux*ABCDE construct," Infection and Immunity 68(6): 3594-3600 (2000) |
| | CF | Gambhir et al., "Imaging transgene expression with radionuclide imaging technologies," Neoplasia 2(1-2): 118-138 (2000) |
| | CG | Gnant et al., "Regional *Versus* Systemic Delivery of Recombinant Vaccinia Virus as Suicide Gene Therapy for Murine Liver Metastases," Annals of Surgery 230(3): 352-361 (1999) |
| | CH | Gnant et al., "Sensitization of tumor necrosis factor α-resistant human melanoma by tumor-specific in vivo transfer of the gene encoding endothelial monocyte-activating polypeptide II using recombinant vaccinia virus," Cancer Research 59: 4668-4674 (1999) |
| | CI | Hamblin et al., "Rapid control of wound infections by targeted photodynamic therapy monitored by *in vivo* bioluminescence imaging," Photochemistry and Photobiology 75(1): 51-57 (2002) |
| | CJ | Hansen et al., "Assessment of GFP fluorescence in cells of *Streptococcus gordonii* under conditions of low pH and low oxygen concentration," Microbiology 147: 1383-1391 (2001) |
| | CK | Hasegawa et al., "*In vivo* tumor delivery of the green fluorescent protein gene to report future occurrence of metastasis," Cancer Gene Therapy 7: 1336-1340 (2000) |

| Examiner Signature | Date Considered |
|---|---|
| | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| Substitute Form PTO-1449 (Modified) U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17248-004002/4804B | Application No. 10/849,664 |
|---|---|---|
| **List of Patents and Publications for Applicant's Information Disclosure Statement** (37 CFR §1.98(b)) | Applicant Aladar A. Szalay et al. | |
| | Filing Date May 19, 2004 | Group Art Unit 1632 |

**Other Documents (include Author, Title, Date, and Place of Publication)**

| Examiner Initial | Desig. ID | Document |
|---|---|---|
| | CL | Hatta, M., "Antitumor mechanisms of *Eubacterium lentum* and it components," Asian Pacific Journal of Allergy and Immunology 13: 129-137 (1995) |
| | CM | Hiller et al., "Characterization of Intracellular and Extracellular Vaccinia Virus Variants: $N_1$-Isonicotinoyl-$N_2$-3-Methyl-4-Chlorobenzoylhydrazine Interferes with Cytoplasmic Virus Dissemination and Release," Journal of Virology 39(3): 903-913 (1981) |
| | CN | Ianaro et al., "Expression of TGF-β in attenuated Salmonella typhimurium: oral administration leads to the reduction of inflammation, Il-2 and IFN-γ, but enhancement of IL-10, in carrageein-induced oedema in mice," Immunology 84:8-15 (1995) |
| | CO | Jacobs et al., "Positron Emission Tomography-based Imaging of Transgene Expression Mediated by Replication-conditional, Oncolytic Herpes Simplex Virus Type I Mutant Vectors *in Vivo*," Cancer Research 61: 2983-2995 (2001) |
| | CP | Jain, R.K. and N.S. Forbes, "Can engineered bacteria help control cancer," Proc. Natl. Acad. Sci. USA 98(26): 14748-14750 (2001) |
| | CQ | Joklik, W.K., "The Purification of Four Strains of Poxviruses," Virology 18:9-18 (1962) |
| | CR | Kaplitt et al.,, "Mutant herpes simplex virus induced regression of tumors growing in immunocompetent rats," J. Neurooncol 19(2): 137-147 (1994) |
| | CS | Kirn, D.H. and F. McCormick, "Replicating viruses as selective cancer therapeutics," Mol Med Today 2(12): 519-527 (1996) |
| | CT | Kutinova et al., "Search for optimal parent for recombinant vaccinia virus vaccines. Study of three vaccinia virus vaccinal strains and several virus lines derived from them," Vaccine 13(5): 487-493 (1995) |
| | CU | Lattime et al., "In Situ Cytokine Gene Transfection Using Vaccinia Virus Vectors," Semin Oncol 23(1): 88-100 (1996) |
| | CV | Mackenzie et al., "Human mesenchymal stem cells persist, demonstrate site-specific multipotential differentiation, and are present in sites of wound healing and tissue regeneration after transplantation into fetal sheep," Blood Cells, Molecules, and Diseases 27(3): 601-604 (2001) |
| | CW | Meyer et al., "Mapping of deletions in the genome of the highly attenuated vaccinia virus MVA and their influence on virulence," Journal of General Virology 72(Pt 5): 1031-1038 (1991) |
| | CX | Morinaga et al., "Antitumor activity and its properties of *Eubacterium lentum*," Jpn. J. Cancer Res. (Gann) 79: 117-124 (1988) |
| | CY | Muravlev et al., "Protective activity of vaccinia virus envelope proteins isolated with the use of nonionic detergents," Voprosy Virusologii 40(4): 154-8 (1995) ) [article in Russian, English summary on last page of article] |
| | CZ | Netesova et al., "Structural and functional studies of the *Hind*III-I-Genome Fragment of Vaccinia virus Strain L-IVP," Mol Biol (Mosk.) Nov-Dec; 25(6): 1526-32 (1991) ) [article in Russian, English summary on last page of article] |
| | DA | Norton et al., "Expression of Secreted Platelet-Derived Growth Factor-B by Recombinant Nonreplicating and Noncytopathic Vaccinia Virus," Annals of Surgery 224(4):555-562 (1996) |
| | DB | Overwijk et al., "Vaccination with a recombinant vaccinia virus enclding a 'self' antigen induces autoimmune vitiligo and tumor cell destruction in mice: Requirement for $CD4^+$ T lymphocytes," Proc. Natl. Acad. Sci. USA 96: 2982-2987 (1999) |
| | DC | Pak et al., "Cloning of the growth factor gene from vaccinia virus LIVP strain in *Escherichia coli* cells," Mol Gen Mikrobiol Virusol Sept-Oct; (9-10):19-21 (1992) ) [article in Russian, English summary on last page of article] |

| Examiner Signature | Date Considered |
|---|---|
| | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| Substitute Form PTO-1449 (Modified) U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17248-004002/4804B | Application No. 10/849,664 |
|---|---|---|
| **List of Patents and Publications for Applicant's Information Disclosure Statement** (37 CFR §1.98(b)) | Applicant Aladar A. Szalay et al. | |
| | Filing Date May 19, 2004 | Group Art Unit 1632 |

**Other Documents (include Author, Title, Date, and Place of Publication)**

| Examiner Initial | Desig. ID | Document |
|---|---|---|
| | DD | Pan et al., "Regression of Established B16F10 Melanoma with a Recombinant *Listeria monocytogenes* Vaccine," Cancer Research 59:5264-5269 (1999) |
| | DE | Peplinski et al., "In vivo gene therapy of a murine pancreas tumor with recombinant vaccinia virus encoding human interleukin-1beta," Surgery 118:185-191 (1995) |
| | DF | Phillips-Jones, M.K., "Bioluminescence (*lux*) expression in the anaerobe *Clostridium perfringens*," FEMS Microbiology Letters 106: 265-270 (1993) |
| | DG | Phillips-Jones, M.K., "Use of *lux* reporter system for monitoring rapid changes in α-toxin gene expression in *Clostridium perfringens* during growth," FEMS Microbiology Letters 188: 29-33 (2000) |
| | DH | Poptani et al., "Monitoring thymidine kinase and ganciclovir-induced changes in rat malignant glioma *in vivo* by nuclear magnetic resonance imaging," Cancer Gene Ther 5(2): 101-109 (1998) |
| | DI | Prikhod'ko, G. G. et al., "Cloning, Sequencing and Translation Analysis of the Vaccinia Virus LIVP HindIII N Fragment," Genetika 27(6): 955-963 (1991) ) [article in Russian, English summary on last page of article] |
| | DJ | Prikhod'ko, G. G. and IV Babkin, "5'-variable genome sequence of vaccinia virus LIVP. Possible role of short direct repeats in formation of DNA deletions," Genetika 27(1): 13-26 (1991) [article in Russian, English summary on last page of article] |
| | DK | Qazi et al, "Real-time monitoring of intracellular *Staphylococcus aureus* replication," J Bacteriol. 186(4): 1065-1077 (2004) |
| | DL | Rocchetta et al., "Validation of a Noninvasive, Real-Time Imaging Technology Using Bioluminescent *Escherichia coli* in the Neutropenic Mouse Thigh Model of Infection," Antimicrobial Agents and Chemotherapy 45(1): 129-137 (2001) |
| | DM | Sakamoto et al., "Antitumor effect of normal intestinal microflora on Ehrlich Ascites tumor," Jpn. J. Cancer Res. (Gann) 79: 109-116 (1988) |
| | DN | Scholl et al., "Recombinant Vaccinia Virus Encoding Human *MUC1* and *IL2* as Immunotherapy in Patients with Breast Cancer," J. Immunother 23(5): 570-580 (2000) |
| | DO | Shchelkunov et al., "The gene encoding the late nonstructural 36K protein of vaccinia virus is essential for virus reproduction," Virus Research 28: 273-283 (1993) |
| | DP | Shimizu et al., "Antitumor activity of marine bacteria, *vibrio anguillarum*, in mice," Gann 70: 429-433 (1979) |
| | DQ | Shimizu et al., "Antitumor activity of 2-keto-3-deoxyoctonate-free lipopolysaccharide of *vibrio anguillarum* in mice," Gann 74(2): 279-284 (1983) |
| | DR | Studeny et al., "Bone Marrow-derived Mesenchymal Stem Cells as Vehicles for Interferon-β Delivery into Tumors," Cancer Research 62: 3603-3608 (2002) |
| | DS | Tjuvajev et al., "Noninvasive Imaging of Herpes Virus Thymidine Kinase Gene Therapy and Expression: A Potential Method for Monitoring Clinical Gene Therapy," Cancer Res 56(18): 4087-4095 (1996) |
| | DT | Tjuvajev et al., "Imaging the Expression of Transfected Genes *in Vivo*," Cancer Res. 55(24): 6126-6132 (1995) |
| | DU | Tjuvajev et al., "Imaging Adenoviral-mediated Herpes Virus Thymidine Kinase Gene Transfer and Expression *In Vivo*," Cancer Research 59: 5186-5193 (1999) |
| | DV | Tjuvajev et al., "Imaging Herpes Virus Thymidine Kinase Gene Transfer and Expression by Positron Emission Tomography,"Cancer Res. 58(19): 4333-4341 (1998) |

| Examiner Signature | Date Considered |
|---|---|
| | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| Substitute Form PTO-1449 (Modified) U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17248-004002/4804B | Application No. 10/849,664 |
|---|---|---|
| **List of Patents and Publications for Applicant's Information Disclosure Statement** (37 CFR §1.98(b)) | Applicant Aladar A. Szalay et al. | |
| | Filing Date May 19, 2004 | Group Art Unit 1632 |

**Other Documents (include Author, Title, Date, and Place of Publication)**

| Examiner Initial | Desig. ID | Document |
|---|---|---|
| | DW | Vogt et al., "Untersuchungen über die Möglichkeit der Tumorlokalisation in vivo auf ser Basis eines szintigrafischer Klostridienstäbchen-Nachweises mit $^{131}$J-markierten Antikörpern und F(ab')$_2$-Antikörperfragmenten," Zeitschrift für Experimentelle Chirurgie 12(4): 209-215 (1979) [article in German, English summary on the last page of the article] |
| | DX | Volm et al., "Enhancement of Incorporation of $^{131}$Iododeoxyuridine into Tumors after Application of *Clostridium oncolyticum s. butyricum* (M 55)," Eur. J. Nucl. Med. 2(2): 117-120 (1977) |
| | DY | Xie et al., "Adenovirus-mediated Tissue-targeted Expression of a Caspase-9-based Artificial Death Switch for the Treatment of Prostate Cancer," Cancer Research 61: 6795-6804 (2001) |
| | DZ | Yang et al., "Visualizing gene expression by whole-body fluorescence imaging," PNAS 97(22): 12278-12282 (2000) |
| | EA | Zhao et al., "Spatial-temporal imaging of bacterial infection and antibiotic response in intact animals," Proceeding of the National Academy of Sciences 98(17): 9814-9818 (2001) |
| | EB | Zinoviev et al., "Identification of the gene encoding vaccinia virus immunodominant protein p35," Gene 147: 209-214 (1994) |

| Examiner Signature | Date Considered |
|---|---|
| | |

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.